

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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A/D DAN BUNKERING LTD., : : 09 Civ. 534 (HB)
Plaintiffs, : :
-against- : :
UKRAINIAN DANUBE SHIPPING COMPANY : :
Defendant. : :
-----x

Hon. Harold Baer, Jr., District Judge:

WHEREAS Plaintiff A/D Dan Bunkering Ltd. ("Plaintiff") filed its complaint in the above-referenced action on January 20, 2009 that sought entry of an ex parte order of attachment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure (the "Rule B Order"); and

WHEREAS the Rule B Order was entered on January 21, 2009; and

WHEREAS by endorsed order dated March 18, 2009, the Court extended the Rule B Order by 45 days and advised Plaintiff that if it heard no word regarding the underlying arbitration, the Rule B Order would be vacated and this action dismissed; and

WHEREAS no further action in this matter has occurred since March 18, 2009; it is hereby

ORDERED that the Rule B Order is hereby vacated; and it is further

ORDERED that this action is dismissed and the Clerk of this Court is directed to close the case and remove it from my docket.

SO ORDERED.

October 26, 2009
New York, New York



U.S.D.J.

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